

MINUTES

**McDowell Sonoran Preserve Commission
Community Development Conference Room
1st Floor, One Civic Center, 7447 E. Indian School Road
January 3, 2002
5:00 p.m.**

CALL TO ORDER

The meeting was called to order at 5:03 p.m.

ATTENDANCE

Present: Art DeCabooter, Chairman
Les Conklin
Howard Meyers
Donald Ruff
Laura Fisher
Bill Berkley
Dennis Carr
Jane Rau

Absent: Carla
Darren Smith
Darcy Thomas

Staff: Bob Cafarella
Claire Miller
Don Meserve

Visitors: Deputy Chief John Cocca, Assistant Chief Dee Taylor, Lt. Tony Gibson,
Tim Bray, Chet Andrews

APPROVAL OF MINUTES

Commissioner Fisher requested a correction to the December 6, 2001 minutes. She stated she was in attendance so her name should be added to the present list. Commissioner Darren Smith was also present.

MOTION WAS MADE BY Commissioner Ruff TO APPROVE THE DECEMBER 6, 2001 MINUTES AS AMENDED. MOTION WAS SECONDED BY Commissioner Berkley, WHICH CARRIED unanimously 8 TO 0.

Mr. Cafarella stated Carla sends her regrets at not being able to attend the meeting because she really wanted to participate in the discussion with the Police Department.

ENFORCEMENT IN THE PRESERVE

Chairman DeCabooter stated that he had met with Mayor Manross and Police Chief Bartosh to discuss the enforcement needs of the Preserve. He further stated that Chief Bartosh was unable to attend so Deputy Chief Cocca is present to discuss enforcement needs in the Preserve.

Chief Cocca presented information regarding enforcement needs in the Preserve. He stated that it was determined that the Police Department needs to come up with a plan to help educate their patrol force to become more proactive when incidents of crime occur in the Preserve.

Chief Cocca discussed the problems that are associated with Officers trying to get into the Preserve. He commented it is difficult to get a vehicle into the Preserve and vehicles are not allowed on the trails.

Chief Cocca commented on some of the problems that are occurring in the Preserve. He further commented on the fact that there is so much more development going on around the Preserve boundaries. What they have found is they do not have a Preserve address to capture what has happened in the Preserve. He added there is a need to develop an address strictly for the Preserve to enable them to monitor and track incidents that occur there.

Chief Cocca reported that the Police Department is committed to providing police service within the Preserve with the resources they have. He further reported that the Police Department's first priority is basic police service to the community.

Mr. Cafarella stated in their exploration of the issue of enforcement in the Preserve there are two friction points. The biggest issue is north of Dynamite where there is a large section of State land that is intermingled with City land. People are using the City land for activities they can do with a permit on State land, such as off-road motorized vehicle use, and it makes it difficult to patrol that area. The second issue is, the Commission would like to have dialogue with the Preservation staff and the Police Department regarding long-term solutions for protection and management in the Preserve.

Commissioner Meyers asked how the Police Department determines the level of staff that is needed to patrol the Preserve. Chief Cocca replied that due to the growth of the City they are requesting additional officers. He stated the Police Department needs the Commission's help to determine the staff level needed.

Commissioner Meyers stated the issue of enforcement comes down to the rules. There needs to be cross-reference between the regulations for the State Land and the Preserve. Chief Cocca commented on the difficulty that the officers have when patrolling in this area because they are not aware of the difference between the State Land and the Preserve.

Commissioner Berkley commented that a hand-held GPS could be a tool for the officers patrolling the Preserve.

Mr. Meserve gave an analogy in terms of the Commission's involvement with Rural/Metro Fire Department following the Rio Fire in July 1995. The Commission had discussed the fact that they wanted Rural/Metro to consider raising the value of the loss of vegetation in the desert because the residents have spent a lot of money acquiring that land and natural areas have high scenic value.

Chief Cocca noted the Police Department is looking at what are the best ways to patrol the Preserve. He further noted that the easiest way to patrol the Preserve would be through the use of a helicopter.

Commissioner Carr asked if there would be any interface between Park Rangers and Police Officers regarding enforcement duties. Mr. Cafarella replied that there are no Park Rangers in the Preserve. The idea of having Park Rangers is one of the long-term strategies that the Commission, City staff and the Police Department need to discuss.

Commissioner Fisher requested information regarding the use of firearms on the State Trust land in Scottsdale. Chief Cocca reported that firearms are not allowed to be used on the State Trust land because discharging firearms inside the City limits is prohibited.

POLICE HELICOPTER AND OPPORTUNITIES TO ASSIST IN MANAGEMENT/ENFORCEMENT IN THE PRESERVE

Lt. Tony Gibson reported that as a result of the successful bond election the Police Department would be able to purchase two helicopters that will be housed at the airport. It is anticipated they would be ready to fly in August of 2004. He presented information regarding the timetable and the process of hiring and training police officers. He further reported that the helicopter would be staffed with a pilot and a police observer.

Lt. Gibson outlined the City's need for the helicopters. He noted that the helicopters would be a great fit for Scottsdale. He reviewed the helicopter budget. He also reviewed the helicopters flying schedule. He presented information on the areas that the helicopter would be of benefit. He reported that emergency response time for the helicopter is 78 seconds as opposed to the 6.1 minutes emergency response time for calls to the Preserve and north end of the City.

Lt. Gibson reviewed the types of calls they get for assistance in the Preserve. He stated that he asked the Fire Department how many times they could have used the helicopter in the Preserve. The Fire Department listed 20 incidents from October to October. The helicopter would greatly assist with search and rescue. He commented on the advantages to the City and the Preserve associated with having a helicopter.

Commissioner Berkley stated he is the Director of the Air Force Night Vision Program and he would suggest that if the Police Department is not using night vision goggles they might want to acquire them sooner rather than later because the cost would be significantly higher to retrofit them. Lt. Gibson replied he is very familiar with the night vision goggles technology and they have used a number of consultants discussing that issue. The primary reason that technology did not win out was due to the size of the helicopter and the cost. Commissioner Berkley stated his willingness to work with the department to consider night vision technology for the helicopters.

Ms. Miller stated she contacted Joe Yarchin with AZ Game and Fish regarding how the use of the helicopters in the Preserve would affect the wildlife. She stated that regular patrol of the aircraft does not seem to be a problem.

Commissioner Carr requested information regarding the noise technology. Lt. Gibson reported they would be using helicopters with the quietest technology for operation. They would be flying the helicopters higher and would be very sensitive to the concerns of the residents of Scottsdale. He further reported that a big part of the program would be in marketing the helicopters.

Lt. Gibson noted that the only hitch at this point is the operational costs.

Commissioner Rau commented on the helicopter restrictions that have been a result of the September 11th tragedy.

Chairman DeCabooter stated the Commission is very supportive of the Police helicopters. He requested that the Commission be kept informed on the process to allow their involvement at the appropriate time.

STATE LAND COMMISSIONER'S RECLASSIFICATION ORDER AND STATE LANDS NORTH AREA GENERAL PLAN AMENDMENT STUDY

Mr. Cafarella stated staff is still working with the State regarding how the August 2001 API reclassification ruling affects Scottsdale's General Plan. He further stated that all of the discussions to date have been establishing process. There has not been any discussion regarding what would go on the map. He added this topic would be put on next month's agenda.

DIRECTOR'S REPORT

Mr. Cafarella stated that the Wireless amendment was approved by City Council. He further stated that an amendment to the Preserve Ordinance regarding enforcement would be on the February 19th City Council consent agenda.

Mr. Cafarella reported that there is a new City employee with legal expertise, Rob Cohen, Chief of Code Enforcement, who would work on managing code enforcement issues.

Mr. Meserve presented information regarding a State Land application by Sprint for an antenna along the south side of the Stagecoach Pass Road alignment, east of 96th Street, which is near the border with the Town of Carefree. The proposed antenna location is within the planned Preserve boundary. He reported that this wireless facility has not become an application within the City. He further reported that there are existing poles and existing APS powerlines parallel to the Stagecoach Pass alignment. The applicant is proposing putting an antenna on top of a power pole and putting an equipment cabinet next to it. He noted that this request would fall under the recently adopted Scottsdale ordinance amendment requiring a use permit.

Mr. Cafarella noted this request is on the boundary of the Preserve and would not be something they would want to have basically at the northern gateway to the Preserve. A comment letter to the State Land Department on this request is being prepared for the Mayor's review and signature.

Commissioner Meyers stated it would be a better idea to place the antenna in the power substation.

Chairman DeCabooter requested staff to provide the Commission with information as the application continues through the process.

Commissioner Meyers asked what is the Commission tasked with relative to preservation as it relates to ESLO. Mr. Cafarella responded the Commission is basically in the position of making recommendations.

PRESERVE MANAGER'S REPORT

Ms. Miller reported that a helicopter lifted 100 thousand pounds of materials out of the Pinnacle Peak trail.

Ms. Miller stated she is working with the Community Services Department on updating the trails map.

Ms. Miller stated that there are several Eagle Scout and Steward projects scheduled.

Commissioner Meyers expressed his concern that the General Plan map did not coordinate with the Preserve map. Mr. Cafarella replied they should be consistent.

Commissioner Rau asked when would the Pinnacle Peak Park be open. Ms. Miller replied in Spring 2002.

EXECUTIVE SESSION

Chairman DeCabooter suggested moving the next Commission meeting from February 7th to February 14th. The Commission concurred.

MOTION WAS MADE by Commissioner Berkley TO HOLD EXECUTIVE SESSION FOR FEBRUARY 14, 2002 FOR THE PURPOSE OF DISCUSSION WITH REPRESENTATIVES OF THE PUBLIC BODY AND CONSULTATION WITH CITY ATTORNEY FOR LEGAL ADVICE TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATING FOR PURCHASE OR LEASE OF REAL PROPERTY FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE. ARS 38-431.03 (A) (3) and (A) (7). MOTION WAS SECONDED BY Commissioner Rau, which carried unanimously 8-0.

COMMISSIONER COMMENTS AND PUBLIC COMMENTS

Mr. Conklin stated the Friends of the Scenic Drive volunteer group is putting up the saguaros by the monument sign that were knocked down during the last thunderstorm.

AGENDA ITEMS FOR FUTURE MEETINGS

Chairman DeCabooter presented the Commission with copies of the letter he received from APS. He noted APS is very interested in working with the Commission regarding the Cactus trimming policies.

Commissioner Carr suggested having a presentation on enforcement issues in the Preserve. He also suggested the Commission receive information regarding commercial activities in the Preserve.

ADJOURNMENT

Meeting adjourned at 6:15 p.m.

Respectfully Submitted,

Cheryl Hancey
Court Reporter
P:1302min